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April 26, 2018

Via UPS Delivery

Capt. David Roesler, Commander
District 6, Michigan State Police
345 Northalnd Drive NE
Rockford, MI 49341

Dear Capt. Roesler:

Re: Eagle Towing – No Preference List

I represent John and Andrew Heykoop and Eagle Towing of Montague, Michigan. This letter concerns two matters involving the relationship of posts within your district and my client.

On November 13, 2017, my client received a letter from Lt. Jeffrey White of the Hart Post advising that Eagle Towing was being removed from the No Preference Wrecker list. This letter also precipitated Eagle Towing's removal from the same list at the Rockford Post. A copy of the letter is enclosed for your convenience. The letter came without warning and without any detailed explanation other than "due to the quality and type of service" provided by my client. We have information that this action was precipitated by the Oceana Sheriff's Department and was substantially motivated in retaliation for my client's reporting of what he regarding as illegal or unethical conduct by that office.

As you are aware, no-preference wrecker services working with the State Police are subject to Official Order 48.3.5 and 48.3.6. In February of this year, my client made several attempts to request the forms necessary to be placed on the No Preference List from your office and the Hart Post. A certified letter to your attention was refused and returned. Later, my client was able to obtain an application and submitted it to both your post and the Hart Post, on or about March 28, 2018. I have attached the documents sent by my client for your convenience. To date no response has been received by client, and Eagle Towing remains off the No Preference List. It is our understanding that there are wrecker services who remain on the list even though they do not comply with Official Order 48.

The second matter concerns a statement made by Lt. Jeffery White, which I have confirmed through a reliable source other than my client, apparently made a 911 dispatch committee meeting [or other meeting] that he will refuse to permit my client to render wrecker services at the Electric Forest Music Festival in June of this year. This festival takes place on private property, the Double JJ Ranch & Golf Resort, and my client has an exclusive contract with the producers of this event to provide



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wrecking services during the festival. I have enclosed that contract for your convenience. This threatened action is not only unwarranted, but is an unlawful interference with my client's contract rights.

My client has complied with Official Order 48 and all applicable law regarding the services they provide. The actions taken by commanding officers within your district against my client are unlawful, a willful violation of their civil rights, due process of law, and a tortious interference with their contractual relationships.

The ongoing feud being waged within your District against my client is a detriment to the community. Eagle Towing is more than willing to meet to discuss any and all concerns that may lie behind this problem, but we insist that this retaliatory conduct end. While we are authorized to commence legal action if necessary, it certainly seems in the best interest of all concerned that discussions be held in the hope of resolving this dispute. In that spirit, I am asking that you give me a call to discuss this at your earliest convenience.

Sincerely,



JOHN S. BRENNAN
MEMBER

JSB/arm
Enclosure

Cc: Col. Kriste Kibbey Etue, Director of the Michigan State Police
Steven Beatty, Departmental Manager/In-House Counsel